

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the matter of the Application of The)
Empire District Electric Company for)
Authority to Issue and Sell under its)
Existing Indenture of Mortgage and Deed)
of Trust Dated as of September 1, 1944, as)
Amended and Supplemented, up to and)
Including \$255,000,000 Principal Amount)
of its First Mortgage Bonds, in One or)
More Series, and to, Among Other Things,)
Execute and Deliver a Supplemental)
Indenture or Indentures to Provide for the)
Terms of Said Bonds.)

Case No. EF-2006-0263

MOTION FOR PROTECTIVE ORDER

Comes now, The Empire District Electric Company ("Empire"), by and through counsel, pursuant to Commission Rule 4 CSR 240-2.085 and requests the Missouri Public Service Commission ("Commission") to issue its customary Protective Order to govern the exchange of information between parties to the captioned proceeding. In support thereof, Empire states as follows:

1. On December 19, 2005, Empire caused to be filed an Application with the Commission for approval to create and make effective the lien of its Indenture of Mortgage and Deed of Trust, as amended and supplemented by twenty-nine (29) Supplemental Indentures, and asked to be amended and supplemented including by a Supplemental Indenture for one or more new series of First Mortgage Bonds ("Bonds") on its property in the State of Missouri to secure each new series of Bonds in an aggregate principal amount that will not exceed \$255,000,000. Empire anticipates being asked, through the Commission's Staff, to provide financial and business information of a

confidential and proprietary nature. It is anticipated that Staff may use this information in making its recommendation to the Commission concerning Empire's Application. Public disclosure of certain material that may be provided to Staff may tend to harm the interests of the Company.

2. None of the information for which a claim of confidentiality will be made can be found in any format in a public document.

3. Because there is a potential for public disclosure of confidential or proprietary information without a Protective Order in place, the Company requests that the Commission issue in case, its standard-form Protective Order containing classifications for "highly confidential" and "proprietary" information.

WHEREFORE, the Company respectfully requests the Commission issue its customary Protective Order and for such other Orders and reliefs as is appropriate in the circumstances.

/s/ Paul A. Boudreau
Paul A. Boudreau MO#33155
BRYDON, SWEARENGEN & ENGLAND, P.C.
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102

(573) 635-7166 Phone
(573) 635-0427 Fax
paulb@brydonlaw.com

Attorneys for The Empire District Electric
Company

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was delivered by first class mail, electronic mail or hand delivery, on the 3rd day of March, 2006, to the Office of the Public Counsel and to the General Counsel, Missouri Public Service Commission.

/s/ Paul A. Boudreau

Paul A. Boudreau